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TITLE I—ORGANIZATION

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Subtitle A—National Drug Control Program

SEC. 1001. SHORT TITLE.

This subtitle may be cited as the “National Narcotics Leadership Act of 1988”.

SEC. 1002. FINDINGS.

The Congress finds that—

(1) the problem of illegal drug activity and drug abuse falls across the entire spectrum of Federal activities, both domestically and internationally;

(2) any effective solution to the drug problem of the Nation must involve a comprehensive approach from all levels of government, combining reduction of the demand for drugs through education, research and treatment with rigorous law enforcement and supply reduction initiatives;

(3) an effective solution to the drug problem of the Nation is severely hampered by the large number of Federal agencies with overlapping jurisdiction and fragmented authority which does not encourage effective strategic planning, coordination and cooperation without centralized leadership;

(4) the magnitude and scope of the problem requires a Director of National Drug Control Policy with the responsibility for the coordination and di-

1 rection of all Federal efforts by the numerous agen-
2 cies; and

3 (5) such a director must have sufficient author-
4 ity and responsibility to lead Federal agencies in
5 making management, policy, and budgetary decisions
6 with respect to all Federal agencies so that a unified
7 and efficient effort can be made to substantially
8 reduce the illegal drug problem.

9 **SEC. 1003. PURPOSES.**

10 The purposes of this subtitle are to—

11 (1) develop a comprehensive, long-range nation-
12 al drug control strategy for substantially reducing
13 drug trafficking and abuse, particularly among young
14 people;

15 (2) authorize one official to direct the national
16 drug control policy of the Federal Government, co-
17 ordinate all United States policy, resources, and op-
18 erations with respect to drug control, and report di-
19 rectly to the President on all drug control matters;

20 (3) make such official accountable to the Con-
21 gress and the people of the United States for the ef-
22 fectiveness of the national drug control strategy; and

23 (4) provide that the national drug control strate-
24 gy ensures that Federal, State, and local governments

1 are fully coordinated and efforts are designed to
2 maximize the effectiveness of such strategy.

3 SEC. 1004. DEFINITIONS.

4 As used in this subtitle the term—

5 (1) “drug” shall have the same meaning as the
6 term “controlled substance” as defined in section
7 102(6) of the Controlled Substances Act (21 U.S.C.
8 802(6));

9 (2) “drug control” means any activity of a pro-
10 gram conducted by a National Drug Control Program
11 agency designed to reduce, directly or indirectly, the
12 availability and use of drugs, including all efforts to
13 decrease the production, manufacture, importation,
14 distribution, or use of drugs through supply reduction
15 and demand reduction programs;

16 (3) “supply reduction” means any activity of a
17 program conducted by a National Drug Control Pro-
18 gram agency that is designed to reduce, directly or
19 indirectly, the supply of drugs in the United States
20 and abroad, including, but not limited to—

21 (A) international drug control;

22 (B) foreign and domestic drug enforcement
23 intelligence;

24 (C) interdiction; and

25 (D) domestic drug law enforcement;

1 (4) "demand reduction" means any activity of
2 a program conducted by a National Drug Control
3 Program agency that is designed to reduce, directly
4 or indirectly, the demand for and use of drugs, in-
5 cluding, but not limited to—

6 (A) drug abuse education;

7 (B) prevention;

8 (C) treatment;

9 (D) research; and

10 (E) private sector initiatives;

11 (5) "National Drug Control Program" means
12 the drug control programs, policies and activities
13 that—

14 (A) the National Drug Control Program
15 agencies undertake pursuant to the responsibil-
16 ities of each such agency under the national
17 drug control strategy; and

18 (B) are subject to review by the Director
19 and modification by the President;

20 (6) "National Drug Control Program agencies"
21 mean the agencies and all dedicated units thereof
22 with responsibilities under the national drug control
23 strategy including the—

24 (A) Department of Justice, including—

- 1 (i) the Drug Enforcement Administra-
- 2 tion;
- 3 (ii) the Federal Bureau of Investiga-
- 4 tion;
- 5 (iii) the United States Attorneys;
- 6 (iv) the United States Marshals Serv-
- 7 ice;
- 8 (v) the Immigration and Naturalization
- 9 Service;
- 10 (vi) National Central Bureau Interpol;
- 11 and
- 12 (vii) the Criminal and Tax Divisions;
- 13 (B) Department of the Treasury, includ-
- 14 ing—
- 15 (i) the United States Customs Service;
- 16 (ii) the Internal Revenue Service;
- 17 (iii) the Bureau of Alcohol, Tobacco
- 18 and Firearms; and
- 19 (iv) the United States Secret Service;
- 20 (C) Department of Transportation, includ-
- 21 ing—
- 22 (i) the Coast Guard; and
- 23 (ii) the Federal Aviation Administra-
- 24 tion;
- 25 (D) Department of State, including—

1 (i) the Bureau of International Narcot-
2 ics Matters;

3 (ii) the Agency for International De-
4 velopment; and

5 (iii) the United States Information
6 Agency;

7 (E) Department of Defense;

8 (F) Department of the Interior;

9 (G) Department of Agriculture;

10 (H) Food and Drug Administration;

11 (I) Department of Health and Human Serv-
12 ices, including—

13 (i) the Alcohol, Drug Abuse and
14 Mental Health Administration;

15 (ii) the Office for Substance Abuse
16 Prevention;

17 (iii) the National Institute of Drug
18 Abuse; and

19 (iv) the Indian Health Service;

20 (J) Department of Education;

21 (K) Department of Labor;

22 (L) ACTION;

23 (M) Office of Personnel Management;

24 (N) Central Intelligence Agency and all
25 other intelligence community agencies;

1 (O) staff elements of the Director of Na-
2 tional Drug Control Policy; and

3 (P) other departments or agencies with
4 drug control responsibilities designated—

5 (i) jointly by the Director for National
6 Drug Control Policy and the head of the
7 relevant department or agency; or

8 (ii) by the President.

9 SEC. 1005. ESTABLISHMENT OF OFFICE.

10 (a) ESTABLISHMENT OF OFFICE.—There is established
11 in the Executive Office of the President the “Office of
12 National Drug Control Policy” (hereafter in this subtitle
13 referred to as the “Office”).

14 (b) DIRECTOR AND DEPUTY DIRECTORS.—(1) There
15 shall be at the head of the Office, a Director of National
16 Drug Control Policy (hereafter in this subtitle referred to
17 as the “Director”).

18 (2) There shall be two deputy directors of the Office
19 (hereafter in this subtitle referred to as the “Deputy Direc-
20 tors”) as follows:

21 (A) A Deputy Director for Demand Reduction
22 to be responsible for all programs to reduce the
23 demand for drugs, including drug education, preven-
24 tion, treatment, research, and private sector pro-
25 grams.

1 (B) A Deputy Director for Supply Reduction to
2 be responsible for all programs to reduce the supply
3 of drugs, including domestic drug law enforcement,
4 interdiction, international and intelligence programs,
5 and any other program designed to halt the produc-
6 tion, importation, manufacture, distribution, or use of
7 drugs.

8 (3) The Deputy Directors shall assist the Director in
9 carrying out the functions of the Director under this Act.

10 (c) BUREAU OF STATE AND LOCAL AFFAIRS.—(1) There
11 is established in the Office of National Drug Control
12 Policy a Bureau of State and Local Affairs (hereafter in
13 this subtitle referred to as the “Bureau”).

14 (2) There shall be at the head of the Bureau an Asso-
15 ciate Director for National Drug Control Policy.

16 SEC. 1006. APPOINTMENT AND DUTIES OF THE DIRECTOR, DEPUTY
17 DIRECTORS AND ASSOCIATE DIRECTOR.

18 (a) APPOINTMENT.—(1) The Director, the Deputy Di-
19 rectors, and the Associate Director shall be appointed by
20 the President, by and with the advice and consent of the
21 Senate.

22 (2) The Director, the Deputy Directors, and the Asso-
23 ciate Director shall each serve at the pleasure of the Presi-
24 dent. No person may serve as Director, a Deputy Director,
25 or Associate Director for a period of more than 4 years,

1 unless such person is reappointed to that same office by
2 the President, by and with the advice and consent of the
3 Senate. No person shall serve as Director, a Deputy Direc-
4 tor, or Associate Director while serving in any other posi-
5 tion in the Federal Government.

6 (3) The Director shall have the rank of Ambassador
7 Extraordinary and Plenipotentiary.

8 (4)(A) Section 5312 of title 5, United States Code, is
9 amended by adding at the end thereof the following:

10 "Director of National Drug Control Policy."

11 (B) Section 5314 of title 5, United States Code, is
12 amended by adding at the end thereof the following:

13 "Deputy Director for Demand Reduction for
14 National Drug Control Policy.

15 "Deputy Director for Supply Reduction for Na-
16 tional Drug Control Policy."

17 (C) Section 5315 of title 5, United States Code, is
18 amended by adding at the end thereof:

19 "Associate Director for National Drug
20 Control Policy."

21 (b) FUNCTION OF DIRECTOR.—The Director shall serve
22 as the principal director and coordinator of United States
23 drug control policy.

24 (c) AUTHORITIES AND RESPONSIBILITIES OF THE DIREC-
25 TOR.—(1) The Director is authorized and directed to notify

1 any National Drug Control Program agency that its poli-
2 cies are not in compliance with the responsibilities of such
3 agency under the National Drug Control Strategy.

4 (2) The head of each National Drug Control Program
5 agency shall ensure that the agency is in compliance with
6 the responsibilities of such agency under the National
7 Drug Control Strategy, as notified pursuant to paragraph
8 (1) of this subsection. The head of any National Drug Con-
9 trol Program agency may appeal to the President any deci-
10 sion of the Director issued under paragraph (1) of this sub-
11 section.

12 (3) The Director shall—

13 (A) develop, review, implement and enforce
14 Federal Government policy with respect to drug con-
15 trol programs;

16 (B) direct and coordinate all Federal Govern-
17 ment drug supply reduction efforts, including inter-
18 national, intelligence, interdiction, and domestic drug
19 law enforcement and all other programs designed to
20 halt the production, importation, manufacture, pro-
21 vided in section 1008 of this title;

22 (C) direct and coordinate efforts between the
23 Federal, State, and local governments, including the
24 review of State and local drug control strategies, and

1 the development of a State and local component to
2 the distribution, and use of drugs;

3 (D) direct and coordinate all Federal Govern-
4 ment drug demand reduction efforts, including edu-
5 cation, prevention, treatment, research, and private
6 sector programs;

7 (E) prepare a national drug control strategy as
8 national drug control strategy as provided in section
9 1008 of this title;

10 (F) direct and coordinate the collection and dis-
11 semination of information necessary to implement
12 United States policy with respect to drug supply and
13 demand reduction efforts; and

14 (G) develop a consolidated national drug control
15 policy including—

16 (i) developing, with the advice of the pro-
17 gram managers of departments and agencies
18 with responsibilities under the National Drug
19 Control Program, the consolidated National
20 Drug Control Program budget, and presenting
21 such budget proposal to the President for sub-
22 mission to the Congress;

23 (ii) initiating and approving all agency re-
24 quests for reprogramming National Drug Con-
25 trol Program funds, in accordance with guide-

1 lines which shall be established by the Office of
2 Management and Budget; and

3 (iii) transferring, after providing notifica-
4 tion to the Committees on Appropriations of the
5 Senate and the House of Representatives, an
6 amount not to exceed 5 per centum of the funds
7 appropriated for one such program to another
8 such program.

9 (d) CONSOLIDATING NATIONAL DRUG CONTROL PRO-
10 GRAM BUDGET.—(1) In developing the National Drug Con-
11 trol Program budget, the Director shall provide each Feder-
12 al Government program manager, agency head and depart-
13 ment head with responsibilities under the national drug
14 control strategy. Each such program manager, agency
15 head, or department head shall submit the drug control
16 budget request of the program, agency, or department to
17 the Director at the same time as such request is submitted
18 to their superiors (and before submission to the Office of
19 Management and Budget) in the preparation of the budget
20 of the President submitted to the Congress under section
21 1105(a) of title 31, United States Code. The Director shall
22 approve or revise such requests in consultation with the
23 appropriate program manager, agency or department head.
24 (2) The head of any National Drug Control Program
25 agency may appeal to the President any decision of the

1 Director on budget and reprogramming matters relating to
2 such agency.

3 (e) POWERS OF DIRECTOR.—In carrying out the re-
4 sponsibilities described under subsection (c) the Director
5 may—

6 (1) select, appoint, employ, and fix compensa-
7 tion of such officers and employees as shall be nec-
8 essary to carry out the powers and duties of the
9 Office under this title;

10 (2) direct, with the concurrence of the Secretary
11 of a department or head of an agency employing
12 such personnel, the temporary reassignment of per-
13 sonnel within the Federal Government in order to
14 implement United States drug control policy;

15 (3) to use, on a reimbursable basis, the available
16 services, equipment, personnel, and facilities of Fed-
17 eral, State, and local agencies to the extent the Di-
18 rector determines appropriate after considering the
19 effectiveness of such existing services, equipment,
20 personnel, and facilities;

21 (4) procure the services of experts and consult-
22 ants in accordance with section 3109 of title 5,
23 United States Code, relating to appointments in the
24 Federal Service, at rates of compensation for individ-
25 uals not to exceed the daily equivalent of the rate of

1 pay payable from time to time for GS-18 of the
2 General Schedule under section 5332 of title 5,
3 United States Code;

4 (5) accept and use donations of property from
5 all government agencies;

6 (6) use the mails in the same manner as any
7 other department or agency of the executive branch;
8 and

9 (7) monitor National Drug Control Program im-
10 plementation, including—

11 (A) conducting program and performance
12 audits and evaluations; and

13 (B) requesting assistance from the Inspec-
14 tor General of the relevant agency in such
15 audits and evaluations.

16 **SEC. 1007. DUTIES AND RESPONSIBILITIES OF THE HEADS OF EX-**
17 **ECUTIVE BRANCH DEPARTMENTS AND AGENCIES.**

18 (a) **ACCESS TO INFORMATION.**—(1) The heads of all
19 executive branch departments and agencies shall—

20 (A) provide the Director with all information
21 necessary and relevant to the National Drug Control
22 Program and the development of the national drug
23 control strategy; and

1 (B) give complete consideration to the requests
2 from the Director for appropriate support for Nation-
3 al Drug Control Program activities.

4 (2) The Director of Central Intelligence shall pre-
5 scribe such regulations as may be necessary to protect the
6 sources and methods of intelligence program information
7 provided to the Director of National Drug Control Policy
8 under this section.

9 (b) BUDGET RESPONSIBILITIES OF EXECUTIVE DEPART-
10 MENTS AND AGENCIES.—The heads of National Drug Con-
11 trol Program agencies shall ensure—

12 (1) timely development and submission to the
13 Director by the program managers and heads of
14 component activities of proposed drug control pro-
15 grams and budgets in the format designated by the
16 Director; and

17 (2) that the Director is provided, in a timely and
18 responsive manner, all information necessary to per-
19 form the program and budget responsibilities of the
20 Director.

21 (c) CERTIFICATION BY THE DIRECTOR.—(1) The heads
22 of National Drug Control Program agencies shall, unless
23 exigent circumstances require otherwise, provide the Di-
24 rector in writing with any proposed changes in policies re-
25 lating to the activities of such department or agency under

1 the National Drug Control Program prior to implementa-
2 tion of such changes. The Director shall promptly review
3 such proposals and certify to the department or agency
4 head in writing whether such changes are consistent with
5 the National Drug Control Program.

6 (2) If prior notice of a proposed change under para-
7 graph (1) is not possible, the department or agency head
8 shall notify the Director as soon as is practicable. The Di-
9 rector shall review such change and certify to the depart-
10 ment or agency head in writing whether such change is
11 consistent with the National Drug Control Program.

12 (d) GENERAL SERVICES ADMINISTRATION.—The Ad-
13 ministrator of General Services shall provide to the Direc-
14 tor on a reimbursable basis such administrative support
15 services as the Director may request.

16 SEC. 1008. DEVELOPMENT AND SUBMISSION OF NATIONAL DRUG
17 CONTROL STRATEGY.

18 (a) DEVELOPMENT AND SUBMISSION OF THE NATIONAL
19 DRUG CONTROL STRATEGY.—(1) No later than 180 days
20 after the first Director is confirmed by the Senate, and in
21 each fiscal year thereafter, the President shall submit to the
22 Congress a National Drug Control Program budget and a
23 complete national drug control strategy. Any part of such
24 strategy that involves classified information may be pre-
25 sented to the Congress in closed proceedings.

1 (2) The national drug control strategy shall—

2 (A) be a comprehensive, research based, long-
3 range plan for the Nation to follow in reducing drug
4 abuse in the United States;

5 (B) indicate the balance between resources de-
6 voted to supply and demand reduction; and

7 (C) include a component on State and local
8 drug control to ensure that the United States pursues
9 a well-coordinated and effective drug control pro-
10 gram at all levels of government.

11 (3)(A) In developing the national drug control strate-
12 gy, the Director shall consult with—

13 (i) the National Drug Control Program agencies;

14 (ii) State and local officials;

15 (iii) private citizens with demonstrated experi-
16 ence and expertise in drug demand reduction; and

17 (iv) private citizens with experience and exper-
18 tise in drug supply reduction.

19 (B) An initial draft of such strategy shall be circulated
20 by the Director for a period of 30 days, during the 180-day
21 period described under paragraph (1), for the purpose of
22 obtaining comments from the National Drug Control pro-
23 gram agencies.

24 (C) After reviewing the comments obtained under
25 subparagraph (B), the Director shall—

- 1 (i) compose a final draft strategy;
- 2 (ii) circulate such final draft strategy to National
- 3 Drug Control Program agencies for a period of 30
- 4 days; and
- 5 (iii) transmit such final draft strategy and all
- 6 agency comments to the President.

7 (D) At the time the President submits the national
8 drug control strategy the Director shall transmit a report to
9 the Congress indicating the persons consulted under this
10 paragraph.

11 (4) Beginning with the second submission of a budget
12 and strategy described under paragraph (1), the Director
13 shall include a complete evaluation of the effectiveness of
14 United States drug control policy during the preceding
15 year.

16 (b) GOALS AND PRIORITIES.—The strategy developed
17 pursuant to subsection (a) shall include—

- 18 (1) a complete list of goals and priorities in—
 - 19 (A) international narcotics control;
 - 20 (B) intelligence efforts relating to drug
 - 21 supply reduction efforts;
 - 22 (C) interdiction;
 - 23 (D) domestic drug law enforcement;

1 (E) drug demand reduction efforts, includ-
2 ing education, prevention, treatment, research,
3 and private sector initiatives; and

4 (F) cooperative efforts between the Federal,
5 State, and local governments in the area of drug
6 control;

7 (2) 5 year projections for program and budget
8 priorities and achievable projections for reductions of
9 drug availability, purity, and usage;

10 (3) a complete assessment of the way the pro-
11 gram and budget priorities developed under subsec-
12 tion (a) are intended to implement the strategy and
13 whether such resource levels are sufficient to imple-
14 ment the strategy;

15 (4) a mechanism of independent, outside, annual
16 assessment of the effectiveness of the national drug
17 control strategy and all programs administered there-
18 to;

19 (5) the designation of the division of authority
20 in each of the major areas of the National Drug Con-
21 trol Program and a mechanism to ensure maximum
22 coordination and cooperation among all involved
23 agencies; and

1 (6) the designation of lead agencies with areas
2 of principal responsibility for carrying out the strate-
3 gy.

4 (c) AREAS OF PRINCIPAL RESPONSIBILITIES OF STRATE-
5 GY.—(1) The Director shall require that any National Drug
6 Control Program agency that conducts an activity which is
7 in the area of principal responsibility of a lead agency as
8 designated under subsection (b)(6) shall—

9 (A) notify such lead agency in writing of the
10 activity; and

11 (B) provide such notification prior to conduct-
12 ing such activity, unless exigent circumstances re-
13 quire otherwise.

14 (2) If a lead agency objects to the conduct of an activ-
15 ity described under paragraph (1), the lead agency and the
16 agency planning to conduct such activity shall refer the
17 matter to the Director for resolution.

18 (3) Nothing in this subsection may be construed to
19 limit the authority of the Director to establish policies re-
20 lating to the responsibilities of any National Drug Control
21 Program agency under the national drug control strategy.

1 SEC. 1009. SUBMISSION OF NATIONAL DRUG CONTROL PROGRAM
2 BUDGET WITH THE ANNUAL BUDGET REQUEST OF
3 THE PRESIDENT.

4 Section 1105(a) of title 31, United States Code, is
5 amended by adding at the end thereof the following:

6 “(26) a separate statement of the amount of ap-
7 propriations requested for the Office of National
8 Drug Control Policy and each program of the Na-
9 tional Drug Control Program.”.

10 SEC. 1010. HIGH-INTENSITY DRUG AREAS.

11 (a) DESIGNATION AND ASSISTANCE.—The Director,
12 upon consultation with the Attorney General, National
13 Drug Control Program agencies, and the several Gover-
14 nors, is authorized to designate certain areas of the country
15 as high intensity drug areas. Upon making such a designa-
16 tion and in order to provide Federal assistance to such
17 area, the Director may—

18 (1) direct, with the concurrence of the Secretary
19 of a department or head of an agency employing
20 such personnel, the temporary reassignment of Fed-
21 eral personnel to such areas;

22 (2) transfer, after providing notification to the
23 Committees on Appropriations of the Senate and the
24 House of Representatives, an amount not to exceed 5
25 per centum of the funds appropriated for one such
26 program to another such program;

1 (3) request appropriations from the Special For-
2 feiture Fund for additional Federal assistance under
3 the provisions of [section 2031] of this Act; and

4 (4) take any other action authorized under sec-
5 tion 1006 of this subtitle to provide increased Feder-
6 al assistance to such areas.

7 (b) COORDINATION.—The Director shall coordinate
8 any action taken under subsection (a) of this section with
9 State and local officials.

10 **SEC. 1011. TERMINATION OF THE NATIONAL DRUG ENFORCEMENT**
11 **POLICY BOARD, THE NATIONAL NARCOTICS**
12 **BORDER INTERDICTION SYSTEM, AND THE WHITE**
13 **HOUSE DRUG ABUSE POLICY OFFICE.**

14 (a) NATIONAL DRUG ENFORCEMENT POLICY BOARD.—
15 (1) The National Drug Enforcement Policy Board is termi-
16 nated 90 days after the date on which the first Director
17 appointed under this title is confirmed by the Senate. Upon
18 such termination, all records and property of the National
19 Drug Enforcement Policy Board shall be transferred to the
20 Director. The Director of the Office of Management and
21 Budget shall take such actions as are necessary to facilitate
22 such transfer.

23 (2) All strategies, implementation plans, memoranda
24 of understanding and directives that have been issued or
25 made by the National Drug Policy Board before the date of

1 the enactment of this subtitle shall continue in effect until
2 modified, terminated, superseded, set aside, or revoked by
3 the President or the Director.

4 (3) The National Narcotics Act of 1984 (21 U.S.C.
5 1201 et seq.) is repealed effective 90 days after the date on
6 which the first Director appointed under this title is con-
7 firmed by the Senate.

8 (b) NATIONAL NARCOTICS BORDER INTERDICTION
9 SYSTEM.—Notwithstanding any other provision of law, no
10 funds may be expended for any activities or operations of
11 the national narcotics border interdiction system after 180
12 days after the date on which the first Director appointed
13 under this title is confirmed by the Senate. The Director
14 shall provide that the functions of the national narcotics
15 border interdiction system are transferred to other agencies
16 to the extent such activities continue after the date of the
17 enactment of this title. The Director of the Office of Man-
18 agement and Budget shall take such action as is necessary
19 to facilitate such transfer.

20 (c) WHITE HOUSE OFFICE OF DRUG ABUSE POLICY.—
21 (1) No later than 90 days after the date of enactment of
22 this title, the White House Drug Abuse Policy Office es-
23 tablished under Executive Order No. 12368 shall termi-
24 nate.

1 (2) Sections 103, 201, 202, 203, 204, and 206 of the
2 Drug Abuse Prevention, Treatment, and Rehabilitation Act
3 (21 U.S.C. 1103, 1111, 1112, 1113, 1114, and 1116) are
4 repealed. Section 205 of such Act is redesignated as sec-
5 tion 201.

6 **SEC. 1012. EXECUTIVE REORGANIZATION AUTHORITY.**

7 (a) **REPORT TO THE CONGRESS AND THE PRESIDENT.—**

8 No later than 1 year after the date of enactment of this title
9 the Director shall submit a report to the President and the
10 Congress on the necessity to group, coordinate, and con-
11 solidate agencies and functions of the Government in-
12 volved in drug supply reduction and drug demand reduc-
13 tion in order to—

14 (1) promote better execution of the laws;

15 (2) provide more effective management of the
16 executive branch;

17 (3) reduce expenditures and promote economy
18 to the fullest extent consistent with the efficient op-
19 eration of the executive branch; and

20 (4) reduce the number of agencies by consoli-
21 dating agencies having similar functions under a
22 single head, and to abolish such agencies or func-
23 tions as may not be necessary for the efficient con-
24 duct of the executive branch.

1 (b) LEGISLATIVE RECOMMENDATIONS.—The report sub-
2 mitted under subsection (a) shall include any appropriate
3 legislative recommendations for the Congress.

4 (c) UNITED STATES COAST GUARD STUDY.—In addi-
5 tion, the report submitted under subsection (a) shall in-
6 clude a comprehensive review of all options for United
7 States Coast Guard reorganization including the creation of
8 a separate department for the purpose of enhancing the ca-
9 pabilities, manpower and equipment of the United States
10 Coast Guard in order to substantially increase the long-
11 term role of the Coast Guard in drug interdiction and en-
12 forcement efforts and to ensure a steady and assured
13 source of funding for this important mission.

14 SEC. 1013. TERMINATION OF THE OFFICE OF NATIONAL DRUG
15 CONTROL POLICY.

16 This subtitle and the amendments made by this sub-
17 title are repealed effective on the date occurring 5 years
18 after the date of the enactment of this subtitle.

19 SEC. 1014. AUTHORIZATION OF APPROPRIATIONS.

20 For the purposes of carrying out this subtitle, there are
21 authorized to be appropriated \$7,500,000 for fiscal year
22 1989 and such sums as may be necessary for each of the 4
23 succeeding fiscal years, to remain available until
24 expended.

1 SEC. 1015. EFFECTIVE DATE.

2 This subtitle and the amendments made by this sub-
3 title shall be effective on January 21, 1989.

4 **Subtitle B—Establishment of the Orga-**
5 **nized Crime and Dangerous Drugs Di-**
6 **vision in the Department of Justice**

7 SECTION 1051. SHORT TITLE.

8 This subtitle may be cited as the “Justice Department
9 Organized Crime and Drug Enforcement Enhancement Act
10 of 1988.

11 SEC. 1052. FINDINGS.

12 The Congress finds that—

13 (1) organized criminal activity contributes sig-
14 nificantly to the importation, distribution, and sale of
15 illegal and dangerous drugs;

16 (2) trends in drug trafficking patterns necessitate
17 a response that gives significant weight to—

18 (A) the prosecution of drug related crimes;

19 and

20 (B) the forfeiture and seizure of assets and
21 other civil remedies used to strike at the inher-
22 ent strength of the drug networks and groups;

23 (3) the structure of the Department of Justice
24 Criminal Division is inadequate to address such
25 drug-related problems; and

1 (4) the prosecutorial resources devoted to such
2 problems have been inadequately organized.

3 **SEC. 1053. PURPOSES.**

4 The purposes of this subtitle are to—

5 (1) establish a division in the Department of
6 Justice from the resources of the Criminal Division
7 used for the eradication of organized crime, narcot-
8 ics, and dangerous drugs;

9 (2) provide that such established division shall
10 adequately address and coordinate the need for a
11 vigorous criminal and equally important civil assault
12 upon organized criminal groups and narcotics traf-
13 fickers; and

14 (3) provide that in carrying out this subtitle, no
15 provision of this subtitle is construed to diminish the
16 efforts of the Department of Justice against tradition-
17 al organized crime activity.

18 **SEC. 1054. ESTABLISHMENT OF ORGANIZED CRIME AND DANGER-**
19 **OUS DRUGS DIVISION.**

20 (a) **ESTABLISHMENT.**—There is established within the
21 Department of Justice, the Organized Crime and Danger-
22 ous Drugs Division, which shall consist of the following
23 divisions and programs of the Department of Justice func-
24 tioning before the date of the enactment of this title:

1 (1) the Organized Crime and Racketeering Sec-
2 tion of the Criminal Division and all subordinate
3 strike forces therein;

4 (2) the Narcotic and Dangerous Drug Section of
5 the Criminal Division;

6 (3) the Asset Forfeiture Office of the Criminal
7 Division; and

8 (4) the Organized Crime Drug Enforcement
9 Task Force Program.

10 (b) TRANSFER.—(1) There are transferred to the Orga-
11 nized Crime and Dangerous Drugs Division—

12 (A) all functions of each office and program de-
13 scribed under subsection (a) (1), (2), (3), and (4) ex-
14 ercised before the date of enactment of this subtitle;
15 and

16 (B) all personnel and available funds of each
17 such office and program.

18 (2) For the purposes of paragraph (1)(A) the term
19 “functions” means all duties, obligations, powers, authori-
20 ties, responsibilities, rights, privileges, activities, and pro-
21 grams.

22 **SEC. 1055. ASSISTANT ATTORNEY GENERAL FOR ORGANIZED**
23 **CRIME AND DANGEROUS DRUGS.**

24 (a) ASSISTANT ATTORNEY GENERAL.—There shall be
25 at the head of the Organized Crime and Dangerous Drugs

1 Division established by section 1054, an Assistant Attor-
2 ney General of the Department of Justice for the Orga-
3 nized Crime and Dangerous Drugs Division, who shall—

4 (1) be appointed by the President, by and with
5 the advice and consent of the Senate;

6 (2) report directly to the Attorney General of
7 the United States;

8 (3) coordinate all activities and policies of the
9 Division with the Director of National Drug Control
10 Policy; and

11 (4) ensure that all investigations and prosecu-
12 tions are coordinated within the Department of Jus-
13 tice to provide the greatest use of civil proceedings
14 and forfeitures to attack the financial resources of or-
15 ganized criminal and narcotics enterprises.

16 (b) COMPENSATION.—(1) Section 5315 of title 5,
17 United States Code, is amended by striking out:

18 “Assistant Attorneys General (10).”

19 and inserting in lieu thereof:

20 “Assistant Attorneys General (11).”.

21 (2) The Assistant Attorney General of the Organized
22 Crime and Dangerous Drugs Division shall be paid at the
23 rate of basic pay payable for level IV of the Executive
24 Schedule.

1 SEC. 1056. DEPUTY ASSISTANT ATTORNEY GENERAL.

2 (a) ESTABLISHMENT.—There is established the position
3 of Deputy Assistant Attorney General of the Organized
4 Crime and Dangerous Drugs Division, who shall report di-
5 rectly and be responsible to the Assistant Attorney General
6 of the Organized Crime and Dangerous Drugs Division.

7 (b) COMPENSATION.—The Deputy Assistant Attorney
8 General of the Organized Crime and Dangerous Drugs Di-
9 vision shall be paid the rate of basic pay payable for level
10 V of the Executive Schedule.

11 SEC. 1057. ADMINISTRATIVE ORGANIZATION OF THE DIVISION.

12 There is established within the Organized Crime and
13 Dangerous Drugs Division—

14 (1) the Criminal Racketeering Section which
15 shall consist of all activities and personnel trans-
16 ferred from the Organized Crime and Racketeering
17 Section under section 1054 dealing with criminal in-
18 vestigation and prosecution, other than civil proceed-
19 ings or forfeiture;

20 (2) the Criminal Narcotics Section which shall
21 consist of—

22 (A) all activities and personnel transferred
23 from the Narcotics and Dangerous Drugs Sec-
24 tion under section 1054; and

1 (B) all personnel transferred from the Or-
2 ganized Crime Drug Enforcement Task Force
3 Program under section 1054; and

4 (3) the Asset Forfeiture and Civil Enforcement
5 Section which shall consist of—

6 (A) all activities and personnel transferred
7 from the Organized Crime and Racketeering
8 Section dealing with civil investigation, pros-
9 ecution and forfeiture under section 1054; and

10 (B) all personnel transferred from the Asset
11 Forfeiture office in the Criminal Division under
12 section 1054.

13 **SEC. 1058. COORDINATION AND ENHANCEMENT OF FIELD ACTIVI-**
14 **TIES.**

15 (a) **ORGANIZED CRIME AND DANGEROUS DRUGS DIVI-**
16 **SION.**—(1) The Organized Crime and Dangerous Drugs Di-
17 vision shall consist of—

18 (A) the Criminal Racketeering Section;

19 (B) the Criminal Narcotics Section; and

20 (C) the Asset Forfeiture and Civil Enforcement
21 Section.

22 (2) Each such Section shall establish as many field
23 offices as the Assistant Attorney General for the Division
24 shall determine appropriate for each section.

1 (b) FIELD OFFICES.—(1) All field offices of the Divi-
2 sion shall be known as Organized Crime and Dangerous
3 Drug Strike Forces.

4 (2) If two or more sections of the Division establish
5 field offices in the same metropolitan area, such offices
6 shall—

7 (A) be in the same location;

8 (B) coordinate activities; and

9 (C) be organized as separate sections of a strike
10 force.

11 (c) TRANSITION.—(1) Consistent with the provisions
12 of section 1054—

13 (A) the Organized Crime and Racketeering Sec-
14 tion of the Criminal Division is redesignated as the
15 Criminal Racketeering Section of the Organized
16 Crime and Dangerous Drug Division; and

17 (B) the Organized Crime Strike Forces are
18 redesignated as the field offices of the Criminal
19 Racketeering Section.

20 (2) Within 180 days after the date of the enactment of
21 this title, the Attorney General shall transfer all attorneys
22 and support staff assigned to the Organized Crime Drug
23 Enforcement Task Forces before such date to the Criminal
24 Narcotics Section of the Organized Crime and Dangerous
25 Drug Division. The Assistant Attorney General for such

1 Division shall assign such personnel to the field offices of
2 such Section, with the initial assignments being made to
3 the cities where units of such Task Forces were located
4 before the date of enactment of this title.

5 (3)(A) Consistent with the provisions of section 1054,
6 the Asset Forfeiture Office of the Criminal Division is re-
7 designated as the Asset Forfeiture and Civil Enforcement
8 Section of the Organized Crime and Dangerous Drug Divi-
9 sion.

10 (B) Within 180 days after the date of the enactment of
11 this title, the Assistant Attorney General shall establish
12 field offices of the Asset Forfeiture and Civil Enforcement
13 Section of the Organized Crime and Dangerous Drug Divi-
14 sion which shall include—

15 (i) agents from the United States Drug Enforce-
16 ment Administration, the Federal Bureau of Investi-
17 gation, the Internal Revenue Service, and United
18 States Marshals Office; and

19 (ii) other individuals experienced, trained and
20 expert in complex financial transactions involving
21 cash, notes, securities, and similar negotiable instru-
22 ments, with a special expertise in banking matters
23 and business dealings.

24 (d) STRIKE FORCES PLAN.—Within 180 days after the
25 date of the enactment of this title, the Director of National

1 Drug Control Policy, in consultation with the Attorney
2 General and the Secretary of the Treasury, shall develop a
3 plan to—

4 (1) ensure that the agents assigned to the Orga-
5 nized Crime and Dangerous Drug Strike Forces (in-
6 cluding all agents assigned to the Organized Crime
7 Drug Enforcement Task Forces program before the
8 date of enactment of this title) shall be dedicated ex-
9 clusively to and located with the Strike Forces so
10 that the Strike Forces personnel may develop exper-
11 tise and function as a working unit;

12 (2) ensure that the agents assigned to the Strike
13 Forces from the various participating agencies are
14 given credit for the work of the Strike Forces, re-
15 gardless of the statutory authority used to prosecute
16 Strike Forces cases; and

17 (3) set forth the overall strategy and investiga-
18 tive approach to be used by the Strike Forces, which
19 shall be followed by all participating agencies.

20 (e) EXPENSES OF STRIKE FORCES.—(1) The expenses
21 relating to all agents assigned to the Organized Crime and
22 Dangerous Drug Strike Forces shall be a separate item in
23 appropriation Acts. Such appropriations shall be made to
24 the Department of Justice for the Attorney General to

1 make reimbursements to the involved agencies as neces-
2 sary.

3 (2) The appropriations and reimbursements procedure
4 described under paragraph (1) shall—

5 (A) provide for the flexibility of the Strike
6 Forces which is vital to success;

7 (B) permit Federal law enforcement resources to
8 be shifted in response to changing patterns of orga-
9 nized criminal drug activities;

10 (C) permit the Attorney General to reallocate
11 resources among the organizational components of
12 the Strike Forces and between regions without undue
13 delay; and

14 (D) ensure that the Strike Forces function as a
15 unit, without the competition for resources among
16 the participating agencies that would undermine the
17 overall effort.

18 (f) REPORT.—Within 1 year after the date of the en-
19 actment of this title, the Assistant Attorney General for
20 Organized Crime and Dangerous Drugs in consultation
21 with the Director of National Drug Control Policy, shall
22 report to the Congress on—

23 (1) the areas of the United States (especially the
24 southwest border of the United States) that may re-
25 quire increased assistance from the Department of

1 Justice through the establishment of additional strike
2 forces; and

3 (2) the advisability of an administrative reorga-
4 nization to combine the Criminal Narcotics Section
5 and the Criminal Racketeering Section.

6 (g) AUTHORIZATION OF APPROPRIATIONS.—(1) There
7 are authorized to be appropriated \$5,000,000 for salaries
8 and expenses of the Organized Crime and Dangerous Drug
9 Division of the Department of Justice for fiscal year 1989.

10 (2) Any appropriation of funds authorized under para-
11 graph (1) shall be—

12 (A) in addition to any appropriations requested
13 by the President in the 1989 fiscal year budget sub-
14 mitted by the President to the Congress on February
15 18, 1988, or provided in regular appropriations Acts
16 or continuing resolutions for the fiscal year ending
17 September 30, 1989; and

18 (B) used to increase the number of field attor-
19 neys and related support staff by no fewer than 100
20 full-time equivalent positions over such personnel
21 levels employed at the Department of Justice on
22 September 30, 1988, assigned to the Organized
23 Crime and Racketeering Section Strike Forces and
24 Organized Crime Drug Task Forces.

1 (3) Any increase in full-time equivalent positions de-
2 scribed under paragraph (2)(B) shall be exclusively used
3 for the Asset Forfeiture and Civil Enforcement Section and
4 assigned to appropriate field offices of the Organized
5 Crime and Dangerous Drug Division.